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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,495	12/12/2005	Claus-Markus Pfeiffer	502901-355PUS	4548
27799	7590	08/03/2011	EXAMINER	
Cozen O'Connor 277 Park Avenue, 20th floor NEW YORK, NY 10172			LAUGHLIN, NATHAN L	
			ART UNIT	PAPER NUMBER
			2122	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/560,495

Applicant(s)

PFEFFER, CLAUD-MARKUS

Examiner

NATHAN LAUGHLIN

Art Unit

2122

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,9-16,18,21-28 and 30-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,9-16,18,21-28 and 30-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This action is in response to the amendments filed on 5-16-11.

Claims 1, 3-7, 9-16, 18, 21-28 and 30-38 are pending.

Claims 1, 3-7, 9-16, 18, 21-28 and 30-38 are rejected below.

Claim Objections

1. Claims 13, 14 and 24-27 are objected to because of the following informalities:
claim 13 and 14 states "said fault alarm" Examiner assumes this to be "said fault alarm box". Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1,3-7, 9-18, 21-28 and 30-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsushima (U.S. PG Pub. 2003/0122679) in view of Onishi (U.S. PG Pub. 2004/0225384).

As to claims 1, 7, 13, 28, Matsushima teaches a fault message system, comprising: a plurality of spatially distributed production units (fig. 6, elements 12a-12c), each production unit comprising means for generating and indicating fault signals, each production unit being associated with a transmitting unit configured to wireless transmit the fault signals (fig. 9), a process computer configured to receive the fault messages from the fault alarm box (fig. 6 elements 64, 66 or 68); and a stationary data receiving units configured for transmitting the fault signals (element 52) each of the plurality of stationary data receiving units being configured to receive the fault signals from one of the plurality of groups of production units and to indicate the fault signals (fig. 9).

Matsushima teaches some of the claimed invention but does not teach all the claimed invention. Specifically, that the plurality of production units are grouped and that a fault box exists. However, these are obvious variations by Onishi as follows:

As to claims 1, 7, 13, 28, Onishi teaches plurality of group production units (figure 10) and a fault box (14). As can be seen in Matsushima a plurality of production units are present 12a-12c and connected to a PC 52 (stationary data receiving unit). Similar to that of Onishi's production units 50-1 through 50-13 connected to PC 52 (stationary data receiving unit). Onishi goes on to teach a second group 51-3 through 51-3 connected to second PC 53. Both groups are then connected to a PC 14 (fault box). PC 14 then delivers the data to users. Therefore, the combination teaches groups of

production units where each group is associated with a stationary data receiving unit and the data receiving unit then sends the data to a fault box.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was created to include the teachings of Onishi into the system and methods as disclosed by Matsushima. The motivation to combine is that Onishi teaches using lump intensive managing (managing a group of production units) the system has the ability to analysis the data from the group of production units and contact a user when a problem arises and maintenance needs done [0107, 0122-0124].

Matsushima in view of Onishi teach most of the claimed invention, but fail to explicitly teach that the PC 52 (same number in both references) contains a display for visually displaying the faults (lamp). However, this is an obvious variation of the combination. The combination teaches a single PC that monitors multiple units for faults. It would be obvious to one of ordinary skill in the art that that PC also displays the faults. It is clear from Matsushima disclosure that the PC contains the fault data [0033, 0035, 0038]. One of ordinary skill in the art would be motivated to display the data because it would allow user that is monitoring the production units to view the status of each unit in a group rather than checking the status individually at each unit thereby saving the user time.

The Examiner notes that claims 7, 13, and 28 have similar limitations, therefore, the citations and rational are similar.

As to claim 3, Onishi teaches wherein the fault alarm box is connected to the process computer via a network connection [0125]. Examiner notes that in the combination the fault box (Onishi's PC 14) would be placed between the PC of Matsushi (element 52) and the other user units (e.g. 62, 64, 66, 68...). This makes logical sense since Onishi teaches that the fault box after an initial PC and can send information to phones and computers [0125].

As to claim 4, Matsushima teaches wherein the network connection is a LAN connection (fig. 6). Onishi teaches this also as seen in fig. 10.

As to claim 5, wherein the process computer is connected to other computers via a second network (fig. 6). Onishi teaches this also as seen in paragraph [0125].

As to claim 6, Onishi teaches wherein the fault alarm box comprises a data editing unit [0125]. The fault box is configured to send the data on to the other computers or to a phone, in either case the data needs to be modified to send to one or the other or both.

As to claim 9, Onishi teaches wherein the fault signals of the production units are edited in the fault alarm box for conversion into fault messages [0125]. The fault box is configured to send the data on to the other computers or to a phone, in either case the data needs to be modified to send to one or the other or both.

As to claim 12, Matsushima teaches wherein the fault message is supplied to the process computer at a different time than the fault message is supplied to said data receiving devices (fig. 6). Since the data is sent through Onishi's fault box (52) it must be sent to the other computers (maintenance computer) [0125], or the computers of Matsushima (elements 64-68) at some other time.

As to claim 14, Matsushima teaches further comprising a receiving device for receiving the fault message from said fault alarm (fig. 6). Onishi also teaches this in paragraph [0125].

As to claim 15, Matsushima teaches wherein the receiving device is a mobile telephone (fig. 6,8 [0038]). Onishi also teaches this in paragraph [0125].

As to claim 16, Matsushima teaches wherein said fault message is sent in as an SMS message [0038, 0039, 0041]. Matsushima teaches data is sent using a phone and via e-mail. Therefore, it is clear to one of ordinary skill in the art that SMS does not deviate enough from the concepts of Matsushima to be non-obvious. The motivation to

do so is that using a communication device (such as SMS) an operator is able to know about the emergency at a distance [0038].

As to claim 18, Onishi teaches wherein each group is comprised of production units of an individual production line (fig. 9).

As to claim 21, Matsushima teaches wherein said production units are spatially separated (fig. 6). Onishi also teaches this in fig. 10.

As to claim 23, Matsushima teaches wherein said process computer is configured to document and evaluate fault messages from said fault alarm [0039]. The computer stores the data and determines which e-mail message to send based on the alarm.

As to claim 24, Onishi teaches wherein said process computer is connected to said fault alarm via a network connection (fig. 10).

As to claim 25, Onishi teaches wherein said fault alarm has a data editing means for determining when to send the fault message from said fault alarm [0125]. The fault box is configured to send the data on to the other computers or to a phone, in either case the data needs to be modified to send to one or the other or both.

As to claim 33, Matsushima teaches wherein said first fault message is sent to the data receiving device and the process computer at different time intervals (fig. 6). Since the data is sent through Onishi's fault box (52) it must be sent to the other computers [0125] or the computers of Matsushima (elements 64-68) at some other time.

As to claim 34, Onishi teaches wherein the fault alarm box is connected to a plurality of stationary data receiving units (fig. 10).

As to claim 35, Onishi teaches wherein the fault alarm box determines whether a fault signal should result in the issuance of a fault message [0122-0125].

As to claim 36, Onishi teaches wherein each data receiving unit is connected to more than one of the plurality of production units (fig. 10).

As to claim 37, Onishi teaches wherein the fault alarm is connected to a plurality of stationary data receiving units (fig. 10).

As to claim 38, Onishi teaches wherein each data receiving unit is connected to more than one of the plurality of production units (fig. 10).

4. Claims 1,3-7, 9-18, 21-28 and 30-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsushima (U.S. PG Pub. 2003/0122679) in view of Onishi (U.S. PG Pub. 2004/0225384) in view of Kurihara (U.S. Pat. c).

Matsushima in view of Onishi teach most of the claimed invention but fail to explicitly teach all the limitations of claims 10, 11, 26-27, and 30-32, However, these are obvious variations as taught by Kurihara as follows:

As to claims 10, 26, 30, Kurihara teaches wherein a fault signal is only converted into a fault message in the fault alarm box when it is present for a predetermined period of time (col. 16 line 49-col. 17 line 12).

As to claims 11, 27, 31, Kurihara teaches wherein a fault signal is only converted into a fault message in the fault alarm box when a particular period of time has elapsed since the last presence of the previous fault signal (col. 16 line 49-col. 17 line 12).

As to claim 32, Kurihara teaches further comprising sending a second fault message from said fault alarm in response to a second fault signal received after sending said first fault message, wherein said second fault message is sent only if a predetermined period of time has elapsed following the end of said first fault signal (col. 16 line 49- col. 17 line 12).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was created to include the teachings of Kurihara into the system and methods as disclosed by Matsushima further modified by Onishi. The motivation to do so is that Kurihara teaches that documenting an event (warning or error) can allow for data to be accurately and periodically obtained and then delivered to a user (col. 3 lines 24-32).

Response to Arguments

5. Applicant's arguments with respect to claims 1, 3-7, 9-16, 18, 21-28 and 30-38 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NATHAN LAUGHLIN whose telephone number is (571)270-1042. The examiner can normally be reached on M - F, 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on 571-272-3719. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nate Laughlin/
Examiner, Art Unit 2122

/MICHAEL D MASINICK/
Primary Examiner, Art Unit 2122

